

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

SHAWN L. HENDERSON,)
vs. Plaintiff,) No. 1:06-cv-1728-SEB-VSS
STATE OF INDIANA,)
Defendant.)

Entry Directing Filing of Document and Directing Dismissing of Action

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The clerk shall file, docket and distribute the plaintiff's response to the order of December 8, 2006.

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The plaintiff was given a period of time in which to pay the filing fee for this action. His response to the order directing him to do so consists of a copy of that order with multiple instances of his signature, followed by the date of that signature in each instance. In addition, the same copy of the order contains cryptic references to the Uniform Commercial Code.

The plaintiff has not paid the filing fee. The response he has made does not indicate that he is exempt from that responsibility. Because of prior baseless litigation instituted by him, he is ineligible to proceed *in forma pauperis* unless he faces "imminent danger of serious physical injury." 28 U.S.C. § 1915(g). "All § 1915 has ever done is excuse pre-payment of the docket fees; a litigant remains liable for them, and for other costs, although poverty may make collection impossible." *Abdul-Wadood v. Nathan*, 91 F.3d 1023, 1025 (7th Cir. 1996); see also *Longbehn v. United States*, 169 F.3d 1082, 1083 (7th Cir. 1999) ("every litigant has the legal responsibility to pay the filing and docketing fees to the extent feasible"). Accordingly, this action is dismissed for failure to prosecute, and judgment dismissing the action without prejudice shall now issue.

IT IS SO ORDERED.

Date: 12/22/2006

Sarah Evans Barker
SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana